

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marton et al.

Application No. 09/222,582

Filed: December 28, 1998

Confirmation No. 2963

For: METHODS FOR DETERMINING  
THERAPEUTIC INDEX FROM GENE  
EXPRESSION PROFILES

Examiner: Stephen C. Siu

Art Unit: 1631

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE, REVOCATION OF PRIOR POWERS,  
AND CHANGE OF CORRESPONDENCE ADDRESS  
ACCOMPANIED BY A STATEMENT UNDER 37 C.F.R. 3.73(b)**

The Assignee hereby revokes any prior powers of attorney for this matter, and appoints practitioners associated with **Customer Number 26119** to transact all business in the U.S. Patent and Trademark Office connected with the referenced application, now Patent No. 6,222,093, and all continuations and divisional thereof, including but not limited to the following:

U.S. Patent Application No. 09/823,322, now Patent No. 7,254,487

U.S. Patent Application No. 11/879,161

Microsoft Corporation is the assignee of the entire right, title and interest of the patent application as evidenced in an assignment from the named inventors. A Statement Under 37 C.F.R. 3.73(b) is submitted herewith.

Please address all correspondence to **Customer Number 24197** at:

KLARQUIST SPARKMAN, LLP  
One World Trade Center, Suite 1600  
121 SW Salmon Street  
Portland, OR 97204-2988  
Telephone: 503-595-5300  
Fax: 503-595-5301

Address all telephone calls to Gregory L. Maurer at telephone number (503) 595-5300.

The undersigned is authorized to sign this Power of Attorney by Assignee on behalf of the assignee.

Executed at Redmond, WA on the 4<sup>th</sup> day of December, 2009.  
(city and state)

Microsoft Corporation

By 

Name D. Bartley Eppenaue

Title Assistant Corporate Secretary

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marton et al.

Application No. 09/222,582

Filed: December 28, 1998

Confirmation No. 2963

For: METHODS FOR DETERMINING  
THERAPEUTIC INDEX FROM GENE  
EXPRESSION PROFILES

Examiner: Stephen C. Siu

Art Unit: 1631

**STATEMENT UNDER 37 CFR 3.73(b)**

Microsoft Corporation, a corporation states that it is:

☒ the assignee of the entire right, title, and interest of the above patent application, now Patent No. 6,222,093, and all continuations/divisional including the following: U.S. Patent Application No. 09/823,322, now Patent No. 7,254,487, and U.S. Patent Application No. 11/879,161.

☒ A chain of title from the inventor(s), to the current assignee of the patent application/patent identified above, as follows:

1. From: Matthew Marton and Roland Stoughton To: Rosetta Inpharmatics, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 009797, Frame 0698, recorded on 02/26/1999.
2. From: Rosetta Inpharmatics, Inc. To: Rosetta Inpharmatics LLC  
The document was recorded in the United States Patent and Trademark Office at Reel 015908, Frame 0483, recorded on 10/22/2004.
3. From: Merck & Co., Inc. and Rosetta Inpharmatics LLC To: Microsoft Corporation  
The document was recorded in the United States Patent and Trademark Office at Reel 023510, Frame 0440, recorded on 11/13/2009.

☒ As indicated above, the documentary evidence of the chain of title from the original owner to the assignee has already been submitted for recordation pursuant to 37 C.F.R. 3.11.

The undersigned is authorized to sign this Statement on behalf of the assignee.

Executed at Redmond, WA on the 4<sup>th</sup> day of December 2009.  
(city and state)

Microsoft Corporation

By 

Name D. Bartley Eppenga

Title Assistant Corporate Secretary